The colloquy to which the second contention refers is the following:

> Q. Who did you sell narcotics to? A. Well, I'm not on trial for any of my past deeds. Your Honor, would it be necessary for me to answer that question?
>
> THE COURT: I don't think so. Not unless you can show that it is pertinent.
>
> MR. WILSON [defense counsel]: I will instruct him to answer, if Your Honor please, but it would be very embarrassing, I think, if he did.
>
> MR. SHRIVER: Do you know whether Mr. Fisher is an addict or not?
>
> A. No, I do not.
>
> Q. You don't know? A. No.
>
> Q. Do you suspect he is? A. No, I never had any reason to suspect it.
>
> MR. WILSON: We object to that suspicions.
>
> THE COURT: Sustained.

The introduction in a criminal case of testimony concerning unrelated criminal activities of a defendant is so likely to have a prejudicial effect on the jury that it is generally held to be inadmissible, with exceptions made for purposes of impeachment and of proving such matters as the design, intent, or motive of the defendant. 1 Wigmore, Evidence (3d. ed. 1940), §§ 193, 215. Unless the government was prepared to substantiate its suggestion concerning defendant's addiction and to show that the matter fell within an exception to the general rule of inadmissibility, the inquiry was highly objectionable. There is some indication in the record that the trial judge, although initially critical of the questioning, later became satisfied that there was a factual basis for the inquiry and that the issue of addiction may have been admissible. In any event, defense counsel neither objected to the questioning nor

moved for a mistrial at the time the questions were asked, and indeed stated that he would instruct the witness to answer. Hence, even if we assume that the questioning by the government was improper, the acquiescence of defense counsel would preclude reversal except in a case where manifest injustice would result. *U. S.* v. *Grosso*, 358 F.2d 154 (3rd Cir. 1966); *U. S.* v. *Agueci*, 310 F.2d 817 (2d Cir. 1962). See *U. S.* v. *Pearson*, 344 F.2d 430 (6th Cir. 1965). This is not such a case.

The judgment of the district court is affirmed.